

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

GREAT AMERICAN INSURANCE  
COMPANY,

Plaintiff,

v.

DJR, INC. D/B/A ENCORE MECHANICAL  
and DALE J. REEVES,

Defendants.

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1:23-cv-00332-RP

**DEFAULT JUDGMENT**

On this date, the Court granted Plaintiff Great American Insurance Company's ("Plaintiff") motion for default judgment against Defendants DJR, Inc. d/b/a Encore Mechanical and Dale J. Reeves (together, "Defendants"), (Order, Dkt. 20). Accordingly, the Court renders this default judgment pursuant to Federal Rule of Civil Procedure 58.

**IT IS ORDERED** that that judgment is entered against Defendants, jointly and severally, on Plaintiff's claims for breach of contract with respect to the February 1, 2020, Agreement of Indemnity attached as Exhibit 1 to Plaintiff's Complaint, (Dkt. 1-2) (the "Indemnity Agreement").

**IT IS FURTHER ORDERED** that judgement is entered against Defendants, jointly and severally, as to their liability to indemnify Plaintiff for all losses, costs, and expenses incurred as a result of executing or enforcing the Bonds (as defined in Plaintiff's Complaint (Dkt. 1)), consistent with the terms of the Indemnity Agreement. The Court reserves judgment on the amount of damages to be awarded pursuant to this paragraph until such time that Plaintiff provides the Court with an accounting of its damages or requests a hearing on its damages.

**IT IS FURTHER ORDERED** that default judgment is entered against Defendants, jointly and severally, as to Plaintiff's requests for specific performance as follows:

1. within ten (10) days of receiving service of this Judgment, Defendants shall deposit with Plaintiff the sum of \$1,000,000.00 in good funds as collateral security; and
2. within ten (10) days of receiving service of this Judgment, Defendants shall provide Plaintiff access, at a mutually agreeable place and time, to copy and examine the books, records, and accounts of Defendants in accordance with the Indemnity Agreement.

**IT IS FURTHER ORDERED** that this Court retains jurisdiction over this action to the extent necessary to enforce the terms of this Order.

**IT IS FINALLY ORDERED** that this case is **CLOSED**.

**SIGNED** on July 13, 2023.

A handwritten signature in blue ink, appearing to read 'R. Pitman', is written above a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE